

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAUCCELL DUVON BRITT,

Plaintiff,

v.

WASHOE COUNTY JAIL,

Defendant.

Case No. 3:21-cv-00139-MMD-WGC

ORDER

Pro se Plaintiff Jaucell Britt filed a civil rights complaint under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge William G. Cobb (ECF No. 17), recommending that this case be dismissed without prejudice. Britt had until September 30, 2021, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts Judge Cobb’s R&R and will order that this case be dismissed without prejudice.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

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1 Because there is no objection, the Court need not conduct *de novo* review, and is
2 satisfied Judge Cobb did not clearly err. Here, Judge Cobb recommends that this case
3 be dismissed without prejudice because Britt has not filed the correct application to
4 proceed *in forma pauperis*, the required financial certificate, and has not updated his
5 address in accordance with Local Rule IA 3-1.¹ (ECF No. 17 at 2-3.) The Court agrees
6 with Judge Cobb. Having reviewed the R&R and the record in this case, the Court will
7 adopt the R&R in full.

8 It is therefore ordered that Judge Cobb's Report and Recommendation (ECF No.
9 17) is accepted and adopted in full.

10 It is further ordered that this case be dismissed without prejudice for failure to file
11 the proper court documents and failure to comply with Local Rule IA 3-1.

12 The Clerk of Court is directed to enter judgment accordingly and close this case.

13 DATED THIS 6th Day of October 2021.

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18 MIRANDA M. DU
19 CHIEF UNITED STATES DISTRICT JUDGE
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27 ¹The Court notes that on August 16, 2021, the Court expressly warned Britt that
28 "[i]f [Britt] fails to timely file a completed IFP application and financial certificate or pay the
filing fee, this action will be dismissed without prejudice." (ECF No. 14 at 3.)